

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**AMENDED² ELEVENTH NOTICE OF
TRANSFER OF CLAIMS TO
ALTERNATIVE DISPUTE RESOLUTION**

To the Honorable United States District Judge Laura Taylor Swain:

1. On April 1, 2020, this Court entered the *Order (A) Authorizing Alternative Dispute Resolution Procedures, (B) Approving Additional Form of Notice, and (C) Granting Related Relief*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567- LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566- LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² On March 30, 2020, the Debtors, by and through the Oversight Board, filed the *Eleventh Notice of Transfer of Claims to Alternative Dispute Resolution* [ECF No. 16258] (the "Eleventh Notice"). As a result of a scrivener's error, Exhibit A [ECF No. 16258-1] to the Eleventh Notice contained an incorrect claim number and claim amount for Softek, Inc. To correct this error, the Debtors respectfully submit this amended Eleventh Notice, which includes an updated Exhibit A reflecting the Debtors' transfer of Proof of Claim No. 6315 into the ADR Procedures. For the avoidance of doubt, the Debtors do not intend to submit Proof of Claim No. 5920 into the ADR Procedures at this time.

[ECF No. 12576] (the “ADR Order”). The ADR Order authorized the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), the Puerto Rico Electric Power Authority (“PREPA”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, HTA, ERS, and PREPA, the “Debtors”) to resolve general unsecured claims using the procedures approved by the court in the ADR Order [ECF No. 12576-1] (“ADR Procedures”).

2. On October 20, 2020, the Debtors filed notices of presentment [ECF Nos. 14621; 14622; 14623; 14624; 14625; 14632; 14634; 14635; 14639; 14643; 14645; 14646; 14650; 14655; 14660; 14668; 14669; 14670; 14675; 14676; 14677; 14680; 14681; 14682; 14686; 14690; 14691; 14692; 14694; 14696; 14698; 14699; 14700; 14701; 14702; 14703; 14704; 14705; 14706; 14707; 14710; 14711; 14712; 14713; 14714; 14715; 14716; 14717; 14718; 14719; 14721; 14722; 14723; 14725; and 14729] (the “Notices of Presentment”), which, among other things, identified claims subject to various omnibus objections that are eligible for transfer into the ADR Procedures.³

3. Pursuant to the ADR Order, the Debtors hereby transfer the claims identified on Exhibit A hereto (the “Eleventh ADR Designated Claims”) into the ADR Procedures.

4. As directed by the ADR Order, the Debtors shall serve a copy of this ADR Transfer Notice (as defined in the ADR Order) on each claimant whose claim is identified on Exhibit A hereto (the “Eleventh ADR Designated Claimants”), together with a copy of the ADR Procedures. Pursuant to the ADR Order, the Debtors anticipate serving an ADR Notice with an Offer or an Information Request (each as defined in the ADR Order) within sixty (60) days. The form of the

³ In addition to the claims identified on the notices of presentment described above, the Commonwealth has also identified an additional claim, Claim No. 6315, subject to the *Two Hundred Sixty-Eighth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico to Satisfied Claims* [ECF No. 14915], that is eligible for transfer into the ADR Procedures.

ADR Notice is annexed to the ADR Order as Exhibit 2. [ECF No. 12576-2].

5. The Debtors shall serve copies of this ADR Transfer Notice upon the Eleventh ADR Designated Claimants listed on Exhibit A and the Master Service List (as defined by the *Fourteenth Amended Case Management Procedures* [Case No. 17-3283, ECF No. 15894-1]). This notice is also available on the Debtors' case website at <https://cases.primeclerk.com/puertorico>.

Dated: April 22, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

Hermann D. Bauer
USDC No. 215205
Carla García Benítez
USDC No. 203708
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

*Attorneys for the Financial Oversight and
Management Board for Puerto Rico, as
representative for the Commonwealth of
Puerto Rico, Puerto Rico Highways and
Transportation Authority, Employees
Retirement System of the Government of the
Commonwealth of Puerto Rico, Puerto Rico
Electric Power Authority, and Puerto Rico
Public Buildings Authority*

/s/ Martin J. Bienenstock

Martin J. Bienenstock (*pro hac vice*)
Brian S. Rosen (*pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

*Co-Attorneys for the Financial Oversight
and Management Board for the Puerto Rico,
as representative for the Commonwealth of
Puerto Rico, Puerto Rico Highways and
Transportation Authority, Employees*

*Retirement System of the Government of the
Commonwealth of Puerto Rico, Puerto Rico
Electric Power Authority, and Puerto Rico
Public Buildings Authority*